UNITED STATES PATENT AND TRADEMARK OFFICE

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DITTHAVONG MORI & STEINER, P.C.
918 Prince Street
Alexandria, VA 22314

EXAMINER
CASCA, FRED A

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 August 2010*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-15 and 17-27* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-15 and 17-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   This action is in response to applicant's amendment filed on October 29, 2008. Claims 1-

3, 5-15 and 17-27 are still pending in the present application. **This Action is made FINAL.**

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-3, 7-8, 13-15, 19, 21, 23 and 27 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Veerasamy et al (US 2004/0203855) in view of Ramaswamy et al (US

5,627547).

        Referring to claim 1, Veerasamy discloses a method (Figures 1-4, abstract and Par. 7)

comprising creating a collection of selected geographical positions using a mobile terminal

having a geographical position system (Par. 7 and 9 and 34-35, particularly par. 35, lines 4-5,

"over time, RF coverage server 195 builds up a database of service drop/calls drop positions")

and a memory for containing a selected geographical position (Par. 7, 9, 34 and 35, "GPS", note

that the mobile station determines its location and then the mobile station relays the position

information when service is restored.   Thus, the mobile station must store the location

information in order to be able to relay it later),

automatically obtaining or determining the current geographical position of the

mobile terminal using information received from the geographical position

system (Par. 34, "determine its position");

and determining to store the current geographical position in the memory upon detection

to store the current geographical position (Par. 34 and 35, note that the mobile station determines

its location and then the mobile station relays the position information when service is restored.

Thus, the mobile station must determine to store the location information in order to be able to

relay it later), wherein the mobile terminal has a plurality of operating modes including one

recording mode (Par. 34 and 35, note that the mobile stations have at least location determination

mode through the GPS and the recording mode as the locations of coverage loss are stored in

order to be reported later after service is reestablished).

Veerasamy does not specifically disclose the memory contains the collection of selected

geographical positions,

the storing is upon detection of an input, and the recording mode of the mobile terminal is

based on a single key activation, in the format claimed.

Ramawamy discloses the memory of a mobile device containing the collection of

selected geographical positions (Figures 1 and 10, abstract, lines 2-5, and col. 12, lines 30-35

"save locations"), the storing is upon detection of an input and the recording mode of the mobile

terminal is based on a single key activation storing the current geographical position in the

memory upon detection of a input to store the current geographical position (figure 10, col. 11,

lines 19-28 and col. 12, lines 1-34, "where I am," note that pressing the "where I am" is equivalent to the single key activation).

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the invention of Veerasamy in the format claimed, for the purpose of eliminating recalculation of the same locations, enabling the user to have the option of selecting a location, and also providing convenience for the user.

Referring to claim 2, the combination of Veerasamy/Ramaswamy discloses the method of claim 2, and further discloses adding an attribute to the stored geographical position (Veerasamy, Par. 12-14 and 34-36, "time").

Referring to claim 3, the combination of Veerasamy/Ramaswamy discloses a method according to claim 1, and further discloses the mobile terminal comprises at least one key and a single key activation of the at least one key is used to store a present geographical position in the memory (Ramaswamy, figures 1 and 10 and col. 11, lines 19-28 and col.12, lines 1-35).

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the invention of Veerasamy in the format claimed, for the purpose of providing convenience for the users.

Referring to claim 7, the combination of Veerasamy/Ramaswamy discloses a method according to claim 1, and further disclose the mobile terminal is configured to communicate data to other terminals, comprising sending geographical positions stored in the memory to other terminals and/or receiving geographical positions form other terminals (Veerasamy, Par. 35 and Figures 103, "server 195").

Referring to claim 8, the combination of Veerasamy/Ramaswamy discloses a method according to claim 7, and further disclose the mobile terminal has an RF or IR receiver/transmitter, further comprising the step of sending and/or receiving geographical positions via an RF or IR based communication channel (Veerasamy, figures 1-3, Par. 34-36, "RF transceiver").

Referring to claim 13, the combination of Veerasamy/Ramaswamy discloses a method according to claim 1, and further disclose the attribute comprises a time and date stamp and/or a sound file, and/or an image file, and or a motion video file, and/or a text file (Veerasamy, Par. 12-14 and 34-35, 49-51"time", "map", note that a map is represented by an image file).

Referring to claim 23, claim 23 recites features analogous to the features of claim 1. Thus, it is rejected for the same reason as set forth above in the rejection of claim 1.

Referring to claim 14, Veerasamy discloses a mobile terminal (Figures 4-5, abstract and Par. 7) comprising: at least one processor configured to obtain or determine a current geographical position from information automatically received from a geographical position system in the mobile terminal (Figure 2 and Par. 34-36 and 41-42, "processor 240"),

a memory configured to store selected geographical position (Par. 34 and 36 and see rejection of claim 1 above), a user interface (Figure 2, "keypad 250", "display 255"), and a processor configured to determine to store the current geographical position in the memory (Figure 2, "main processor").

Veerasamy does not specifically disclose the geographical position being multiple positions, the storing being based upon a detection of a store input, and the detection is by the detection of single depression of a key, in the format claimed.

Ramaswamy discloses the geographical position being multiple positions (Col. 12, lines 21-35, "allows a user to save locations once visited") and the storing being based upon a detection of a store input (figures 1 and 10 and Col. 11, lines 19-26 and Col. 12, lines 14-35, "where I am"), and the detection is by the detection of single depression of a key (Fig. 1 and 10 and Col. 11, line 19 – Col. 12, line 34)

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the invention of Veerasamy in the format claimed, for the purpose of eliminating recalculation of the same locations and also providing convenience for the user.

Referring to claim 15, the combination of Veerasamy/Ramaswamy discloses the mobile terminal of claim 14, and further discloses that the process is configured to add an attribute to the stored geographical position (Veerasamy, Par. 12-14 and 34-36, "time").

Referring to claim 19, the combination of Veerasamy/Ramaswamy discloses the mobile terminal according to claim 14, and further disclose the mobile terminal has an RF or IR receiver/transmitter, further comprising the step of sending and/or receiving geographical positions via an RF or IR based communication channel (Veerasamy, figures 1-3, Par. 34-36, "RF transceiver").

Referring to claim 21, the combination of Veerasamy/Ramaswamy discloses a mobile terminal according to claim 14, and inherently discloses the

processor for storing a current geographical position in the memory upon a user input executes instructions of a software application on the mobile terminal (Veerasamy, Figures 2, 4, and 5, and Par. 34-36, and 41-43, and Ramaswamy, figures 1 and 10 and col. 12, lines 1-34, note that a software application has to be used to process the storing functions).

Referring to claim 27, the combination of Veerasamy/Ramaswamy discloses the mobile terminal of claim 14 and further discloses the mobile terminal is a hand portable phone (Veerasamy, Par. 37, "PDA").

4.   Claims 5-6, 9-12, 17, 18, 20, 22 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Veerasamy et al (US 2004/0203855) in view of Ramaswamy et al (US 5,627547) and further in view of well known prior art (MEEP 2144.03).

Referring to claim 5, the combination of Veerasamy/Ramaswamy discloses a method according to claim 1 and further disclose at least one processor to perform mathematical operations on the collection of geographical positions (abstract, Fig. 4, par. 2, lines 55-60, "processor", note determining the geographical position via GPS inherently includes mathematical operations).

The above combination is silent on performing statistical and/or probability analysis on the collection of geographical positions.

However, the examiner takes official notice of the fact that using a statistical model for determining location of a mobile device is well known in the art.

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the above combination in the format claimed, for the purpose of providing an efficient communication system.

Referring to claim 6, the combination of Veerasamy/Ramaswamy and well-known art disclose a method according to claim 5.

The combination of Veerasamy/Ramaswamy is silent on the analysis comprises analysis of area related density of geographical positions, selectively within geographical positions with a given attribute or with attributes within a given group.

However, the examiner takes official notice of the fact that analysis of area related density of geographical positions, selectively within geographical positions with a given attribute or with attributes within a given group is well known in the art.

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the above combination in the format claimed, for the purpose of providing an efficient communication system.

Referring to claim 9, the combination of Veerasamy/Ramaswamy discloses a method according to claim 8, and further disclose the mobile terminal is a mobile phone or a communicator for use in a wireless cellular communication network (Veerasamy, figures 1-4).

The above combination is silent on the step of sending a text message including at least one geographical position from the memory,

preferably including any associated attribute of the geographical position concerned, to one or more remote terminals.

The examiner takes official notice of the fact that sending a text message including at least one geographical position from the memory, preferably including any associated attribute of the geographical position concerned, to one or more remote terminals is well known in the art.

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the above combination in the format claimed, for the purpose of providing an efficient communication system.

Referring to claim 10, the combination of Veerasamy/Ramaswamy and well-known art discloses a method according to claim 9, wherein said one or more remote terminals are mobile phones or communicators, and one of the mobile phones or communicators functions as a server with a database of geographical positions (Veerasamy, figures 1-4).

Referring to claim 11, the combination of Veerasamy/Ramaswamy and well-known art discloses a method according to claim 10, and further disclose a server having a database containing geographical positions received from remote terminals is connected to the cellular network (Veerasamy, figures 1-4).

Referring to claim 12, the combination of Veerasamy/Ramaswamy and well-known art discloses a method according to claim 5, and further disclose generating a map for illustrating the result of the statistical and/or probability analysis, by generating and displaying a map of an area

with a given density or density range of geographical positions with a given attribute or with attributes within a given group (Veerasamy, Par. 35, "map of the coverage area").

Referring to claim 24, combination of Veerasamy/Ramaswamy discloses method of claim 1 and further disclose, after the current geographical position is stored, automatically assigning at least one position attribute to the stored geographical location upon detection of single key depression of a key associated with the prompt (Veerasamy, Par. 12-14 and 34-36, "time", Ramaswamy, figure 10, and col. 12, lines 1-34, lines 30-35, "saved locations", "where I am").

The above combination is silent on automatically providing a prompt to assign a name and category to the stored geographical location as claimed.

The examiner takes official notice of the fact that automatically providing a prompt to assign a name and category to the stored element, e.g., geographical location, is well known in the art.

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the above combination in the format claimed, for the purpose of providing an efficient communication system.

Referring to claim 25, the combination of Veerasamy/Ramaswamy and well-known art discloses the method of claim 24 and further disclose the at least one position

attribute comprises at least one of a source of geographical position data, coordinates, date, time or phone number (Veerasamy, figure 2 and par. 36, and Ramaswamy, col. 7, lines 48-67, GPS, note that GPS inherently includes coordinate position information).

Referring to claim 26, the combination of Veerasamy/Ramaswamy and well-known art discloses the method of claim 24.

The above combination is silent on providing a prompt for entry of a name for the stored geographical location and a category or subcategory of the stored geographical location, as claimed.

The examiner takes official notice of the fact that providing a prompt for entry of a name for the stored geographical location and a category or subcategory of the stored geographical location, is well known in the art.

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the above combination in the format claimed, for the purpose of providing an efficient communication system.

Referring to claim 17, the combination of Veerasamy/Ramaswamy discloses a method according to claim 15 and further disclose at least one processor to perform mathematical operations on the collection of geographical positions (abstract, Fig. 4, par. 2, lines 55-60, "processor", note determining the geographical position via GPS inherently includes mathematical operations).

The above combination is silent on performing statistical and/or probability analysis on the collection of geographical positions.

However, the examiner takes official notice of the fact that using a statistical model for determining location of a mobile device is well known in the art.

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the above combination in the format claimed, for the purpose of providing an efficient communication system.

Referring to claim 18, the combination of Veerasamy/Ramaswamy and Well-known discloses a mobile terminal according to claim 17, and further discloses comprising a display and wherein the at least one processor is further configured to generate and display a map with selected stored geographical positions from the memory on the display (Veerasamy, figure 2 and par. 43 and Ramaswamy, Figures 4-6).

Referring to claim 20, the combination of Veerasamy/Ramaswamy discloses a method according to claim 14, and further disclose the mobile terminal is a mobile phone or a communicator for use in a wireless cellular communication network (Veerasamy, figures 1-4).

The above combination is silent on the step of a processor configured for sending and receiving a text message including at least one geographical position from the memory, preferably including any associated attribute of the geographical position concerned, to one or more remote terminals.

The examiner takes official notice of the fact that sending a text message including at least one geographical position from the memory, preferably including any associated attribute of the geographical position concerned, to one or more remote terminals is well known in the art.

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the above combination in the format claimed, for the purpose of providing an efficient communication system.

Referring to claim 22, the combination of Veerasamy/Ramaswamy and well-known art discloses a method according to claim 17, and further disclose a process further configured to generate and display maps illustrating the result of the statistical and/or probability analysis (Veerasamy, Par. 35, "map of the coverage area").

Response to Arguments

5.   Applicant's arguments with respect to claims 1-3, 5-15 and 17-27 have been considered but they are not persuasive.

On page 9 or the Remarks filed on 08/27/2010 the applicant presents the following arguments:

> *The Examiner particularly relied on Figs. 1 and 10 and col. 11, lines 19-28 and col. 12,*
> *lines 1-35, of Ramaswamy et al., equating the "where I am" mode of operation to the claimed*
> *single key activation. However, Ramaswamy et al. fails to cure the deficiency of Veerasamy et*
> *al. because Ramaswamy et al. also fails to disclose or suggest the use of a single key activation*
> *or depression for storing the current geographical position of a mobile terminal.*

The examiner respectfully disagrees with the applicant's above arguments for the following reasons:

As a preliminary matter, the applicant is reminded that the rejection is based on a 35 U.S.C. 103(a) using two references in the rejection of claims, thus, both references must be given consideration in the overcoming the references.

The examiner asserts that the limitation, "storing the current geographical position of a mobile terminal," is disclosed in Veerasamy. Veerasamy discloses a mobile phone storing its current locations in order to send the current locations to the network (see Veerasamy, Par. 34-35). However, the saving in Veerasamy occurs automatically and not by selecting or pressing a button (single key).

This is where Ramaswamy is used in the rejection. Ramaswamy is used in the rejection to show that storing of location can be performed by pressing a single key. Applicant is referred to Col. 12, lines 27-30, particularly the recitation "With the current destination name category 146, the currently selected destination from the memory card 120 may be saved." Further, the applicant is referred to Col. 12, lines 14-17, "depressing switch 16." The examiner asserts that a person of ordinary skill in the art seeing the Ramaswamy's above recitations would be able to conclude Ramaswamy discloses saving a location by selecting a single key.

> The applicant further argues that:
>
> In *Ramaswamy et al.,* a user may select between a recall destination category 140, wherein previously stored geographical locations are recalled, or a save destination category 142, wherein a current geographical location is saved in a mobile terminal. "To select either of recall or save categories 140 or 142, a user may toggle between the two categories 140 and 142 by rotating the menu choices rotary pushbutton switch 16 and depressing switch 16 to select the displayed category" (col. 12, lines 14-17). "In the save category 142, a user may select between a current destination name category 144 and a current 'where I am' position category 146 by rotating menu choices rotary pushbutton 16 to the desired category and depressing menu choices switch 16 to make the selection" (col. 12, lines 22-27).
>
> Thus, while *Ramaswamy et al.* employs a single pushbutton switch 16 when saving a current geographical location, that switch must first be rotated (i.e., a first activation) in order to select either the recall or save category. Then, the pushbutton switch 16 must be depressed to select the displayed category, e.g., save category, when it appears on a menu. Subsequently, the user must then choose again, by rotating the pushbutton switch 16, in the save category as to whether the user desires the current destination name category or the current "where I am" position category. After choosing the "where I am" position category, via rotation of the menu choices, the user must then depress the pushbutton switch 16 to finally make the selection of the "where I am" position category 146, at which point the current position of the user is saved in the programmable memory (col. 12, lines 30-34).

The examiner respectfully disagrees with this part of the arguments as well for the following reasons:

As a preliminary matter, the applicant is reminded that during the examination claims are given their broadest reasonable interpretations. Based on the broadest reasonable interpretation of the claims, the applicant's claimed "single key activation" is broadly interpreted as "when a Ramaswamy's "where I AM" is selected by the depressing of the switch 16," simply because the switch is a single key. Therefore, R*amaswamy's* single pushbutton switch 16, when saving a current geographical location, employing of a switch rotation, depression of a key, and choosing again to save, **is still a single key activation**. The examiner asserts that an artesian, based on the broadest interpretation of the claims, would be able to conclude that in order to store the location in Ramaswamy, a single key operation is still activated.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reference Kraft (US 2002/0168964 A1) discloses a mobile terminal having a single key to store data by pressing a single key (Par. 12).

7.   **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred A. Casca whose telephone number is (571) 272-7918. The examiner can normally be reached on Monday through Friday from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard, can be reached at (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/FRED CASCA/

Patent Examiner, Art Unit 2617

/Patrick N. Edouard/

Supervisory Patent Examiner, Art Unit 2617